IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1644 OF 2007

Shri Hemraj Khushalchand Bhandari ..Petitioner

Vs.

Shri Dnyaneshwar Narayanrao Chavan ..Respondent

Mr. Nitin P. Deshpande for petitioner.

CORAM: B.H. MARLAPALLE, J.

Date : March 14, 2007.

P.C.:

. Not on board, hence mentioned and taken on board in view of the urgency in as much as the order of status quo granted by the Lower Appellate Court is operating till tomorrow i.e. 15/3/2007.

. The petitioner is challenging the decree of eviction passed by the Small Causes Court at Pune in Civil Suit No. 648 of 2001 and confirmed by the Lower Appellate Court by dismissing Civil Appeal No. 873 of 2005. The decree is passed under Maharashtra Rent Control Act, 1999 and in Writ Petition No.4138 of 2006

by a reasoned order dated 24/8/2006 I have taken a view that a Civil Revision Application under Section 115 of C.P.C. is a statutory remedy available against such decree and, therefore, this petition need not be entertained.

. The petition is, therefore, disposed accordingly with liberty to the petitioner to file a Civil Revision Application. The order of status quo granted by the Lower Appellate Court will continue to operate for a further period of two weeks.

(B.H. Marlapalle,J.)